

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: 3042

Fabio FRANCESCHI

Group Art Unit: 1794

Application No.: 10/512,078

Examiner: Viren A. THAKUR

Filed: November 5, 2004

Attorney Docket No.: 023349-00298

For: A CAPSULE TO BE USED TO PREPARE AN INFUSED BEVERAGE

**PRELIMINARY AMENDMENT FILED WITH A REQUEST FOR
CONTINUED EXAMINATION (RCE) UNDER 37 C.F.R. § 1.114**

Mail Stop RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

April 1, 2009

Coupled with the filing of a Request for Continued Examination, Applicant requests that, prior to initial examination, the above-identified application be **FURTHER** amended as shown below. This paper is in reply to the final Office Action dated November 4, 2008, and the Advisory Action dated February 23, 2009. The period for response is extended two months, from February 4, 2009 to April 4, 2009 by the attached Petition for Extension of Time.

Amendments to the **Claims** begin on page 2.

Remarks begin on page 6.